



28 February 2025

9(2)(a)

9(2)(a)

Thank you for your email of 20 November 2024 requesting the following under the Official Information Act 1982 (the Act):

*... respectfully request the following information be released:*

- 1. Any and all briefings, advice, Cabinet papers prepared by Ministers and/or the Ministry for the Environment on behalf of Ministers, including any feedback, input or advice into these Cabinet papers or Briefings by Treasury, or any other Ministry or their Ministers e.g. Ministry for Regulation relating to the above topic.*
- 2. A copy of the procurement plan for the reviews referred to in paragraphs 22 and 23.*
- 3. A copy of the successful tenders/ proposals/ contract for external advice to the Ministry for the Environment in undertaking the reviews referred to in the paragraphs above.*
- 4. A copy of any and all reports, advice, internal briefings or memorandums, including draft reports and final reports circulated of the reviews referred to in paragraphs 22 and 23, to the Ministry for the Environment and/or any other Ministry, Agency, Officials or Ministers, including (but not limited to) any memorandum and/or accompanying advice or briefings.*
- 5. A copy of any advice, formal or informal, received by the Minister for the Environment and/or the Ministry for the Environment, from any Ministry or Agency or their Ministers e.g. Ministry/ Minister for Regulation and/or Minister of Finance/ Treasury, or from any other Minister of Parliament regarding the above reviews or any of the items discussed in paragraphs 22-32 above.*
- 6. A copy of any and all Cabinet papers, including (but not limited to) draft Cabinet papers from the Minister for the Environment, relating to the above referred reviews (e.g. paragraphs 22-32).*
- 7. Any correspondence including letters, emails or other memorandums or briefings between the Minister and/or Ministry for the Environment and other Ministers and/or Ministries/Agencies regarding the above reviews.*

*8. Any internal memorandums, discussion documents, and or briefings regarding paragraphs 22-32, and how these Cabinet decisions will be approached and/or actions being taken by the Ministry for the Environment and/or any other agency to address those actions e.g. any briefings, reports, memorandum or frameworks that discussion or relate to how decisions will be made regarding the use of the levy, including drafts reports.*

On 17 December 2024, the Ministry for the Environment (the Ministry) discussed your request with you and agreed on the following refinement to parts of the request:

- *Regarding point 3 - we only want a copy of the successful tenderer's response to the RFP and the contract.*
- *Regarding point 4 in the original Official Information Act request, requesting any draft reports, advice, internal briefings or memorandums, regarding the reviews, we only want items prepared related to Cab Min 24-MIN-0138 which were created **after** procurement e.g., once the external review consultant was contracted.*
- *Regarding the draft reports scope of our request, we seek versions of draft reports and/or final reports prepared by Sapere that were circulated to the Ministry for the Environment **and** any other agencies, and any responses/feedback from those agencies and/or Ministers regarding the draft and/or final reports and accompanying advice.*

The Ministry has identified 34 documents in scope of your request, as listed in the attached document schedule.

There are 23 documents in scope of Part 1. We are releasing 12 documents in full and 11 documents released in part some information withheld under the following sections of the Act:

- 9(2)(a) to protect the privacy of natural persons.
- 9(2)(b)(ii) to protect information where the making available of the information would likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
- 9(2)(f)(iv) to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.
- 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expressions of opinions.

There are two documents in scope of Part 2 as listed in the attached document schedule. Some information contained in these documents has been withheld under section 9(2)(a) of the Act.

There are four documents in scope of Part 3. Some information contained in these documents has been withheld under section 9(2)(a) and 9(2)(b)(ii) of the Act.

There are four documents in scope of Part 4 as listed in the attached document schedule. Some information contained in these documents has been withheld under section 9(2)(b)(ii) of the Act.

Documents that are in scope of Parts 5 and 6 are released under Part 1. The Budget 2025 letter is withheld in full under 9(2)(f)(iv) of the Act.

For Part 7, based on a revised scope of 18 December 2024 by you “*we only want items prepared related to Cab Min 24-MIN-0138 which were created after procurement e.g., once the external review consultant was contracted*”, there are no further documents other than the ones already being released under Part 1.

For Part 8, *BRF-4800 Proposed approach for report back to Cabinet and review of waste levy investment in CAB-24-MIN-0138 rev 25 June*, is in scope and is released under Part 1.

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the withholding of this information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

As is standard procedure, the external consultants provided drafts of their report to the Ministry to ensure the assumptions upon which their findings were based were sound and data had been interpreted correctly. This step was particularly important given the compressed timeframes within which the consultants were operating, and limited data. The Ministry made suggestions on a number of aspects to the providers whilst recognising the independence of the providers' work. Both providers appreciated this feedback and made changes to their findings as a result.

The Matamata-Piako District Council (MPDC) have provided the following comment regarding content in the Sapere report. The MPDC contract started September 2023 and not June. Therefore the 359.59 tonnes of food scraps collected covered a 10-month period not 12 months. In addition, MPDC ceased collections of both refuse and recycling in the CBD areas in all three townships. This was to allow access for commercial companies to provide services. Previously these areas were included for collection by council and this provided a further opportunity for crowding in.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decisions relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Please note that due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent. If you have any queries about this, please feel free to contact our Ministerial Services team: [ministerials@mfe.govt.nz](mailto:ministerials@mfe.govt.nz).

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Wigley'.

**Glenn Wigley**

General Manager, Waste and HSNO Policy  
Ministry for the Environment | Manatū Mō Te Taiao

## Document schedule

### Documents in scope of Part 1

No.	Date	Content	Decision	OIA Section/s applied (if withholding information)
1	25/6/2024	BRF-4800 Proposed approach for report back to Cabinet and review of waste levy investment in CAB-24-MIN-0138 rev 25 June	Release in Part	9(2)(b)(ii)
2	30/8/2024	Email - FW_ Draft MfE Efficiency and Effectiveness Review Report - any feedback by COB on the 30th	Release in Full	
3	10/10/2024	Email - FW_ Final KPMG report - efficiency and effectiveness review	Release in Full	
4	11/10/2024	Email - RE_ Cabinet report-back_ performance of government spending funded by the waste disposal levy	Release in Full	
5	16/10/2024	Email – RE Draft Cabinet paper for agency review - Waste and Resource Efficiency Work Programme	Release in Full	
6	24/10/2024	Email - RE_ _RE_ draft Cabinet paper for agency review - waste disposal levy (1)	Release in Part	9(2)(f)(iv)
7	24/10/2024	Email - RE_ _RE_ draft Cabinet paper for agency review - waste disposal levy	Release in Full	

No.	Date	Content	Decision	OIA Section/s applied (if withholding information)
8	25/10/2024	Draft Cabinet paper for agency review - performance of government spending funded by the waste disposal levy	Release in Full	
9	25/10/2024	Email - Draft Cabinet paper for agency review - performance of government spending funded by the waste disposal levy	Release in Full	
10	29/10/2024	Email - RE_Draft Cabinet paper for agency review - performance of government spending funded by the waste disposal levy	Release in Full	
11	29/10/2024	Email - RE_Draft Cabinet paper for agency review - performance of government spending funded by the waste disposal levy	Release in Full	
12	30/10/2024	Email – TA Response: Draft Cabinet paper for agency review - performance of government spending funded by the waste disposal	Release in Full	
13	31/10/2024	Email - RE__Draft Cabinet paper for agency review - performance of government spending funded by the waste disposal levy	Release in Full	

No.	Date	Content	Decision	OIA Section/s applied (if withholding information)
14	01/11/2024	Email - RE_ Draft Cabinet paper for agency review - performance of government spending funded by the waste disposal levy	Release in Part	9(2)(a)
15	1/11/2024	Email - Draft Cabinet paper (CAB-471 Cabinet report-back_ performance of government spending funded by the waste disposal levy)_ cover b	Release in Full	
16	1/11/2024	BRF-5515 cover briefing for CAB-471 report-back on government spending funded by the waste disposal levy	Release in Part	9(2)(f)(iv)
17	4/11/2024	Email - RE_ Draft Cabinet paper (CAB-471 Cabinet report-back_ performance of government spending funded by the waste disposal	Release in Part	9(2)(g)(i)
18	4/11/2024	Email - RE_ Draft Cabinet paper (CAB-471 Cabinet report-back_ performance of government spending funded by the waste disposal levy)	Release in Part	9(2)(f)(iv)
19	14/11/2024	Email - FW_ MINISTERIAL CONSULTATION_ Cabinet Paper on Report-back_ performance of government spending funded by the	Release in Part	9(2)(g)(i)

No.	Date	Content	Decision	OIA Section/s applied (if withholding information)
20	14/11/2024	CAB-471 Cabinet report-back	Release in Part	9(2)(f)(iv)
21	29/11/2024	RE_Update on levy report-back Cabinet paper	Release in Part	9(2)(f)(iv) 9(2)(g)(i)
22		CAB-471 Cabinet report back - DRAFT	Release in Part	9(2)(f)(iv)
23		CAB-471 Cabinet report back - FINAL	Release in Part	9(2)(f)(iv)

#### Documents in scope of Part 2 of the request

No.	Date	Content	Decision	OIA Section/s applied (if withholding information)
24	12/6/2024	Procurement Plan - Efficiency and effectiveness of levy and funds administration	Release in Part	9(2)(a)
25	4/7/2024	Procurement Plan - Assessment of outcomes and recent performance of investment of the waste levy	Release in Part	9(2)(a)



### Documents in scope of Part 3 of the request

No.	Date	Content	Decision	OIA Section/s applied (if withholding information)
26	15/7/2024	KMPG - Efficiency and effectiveness of levy and funds administration	Release in Part	9(2)(b)(ii)
27	22/7/2024	KMPG - Consultancy Services Order (CSO) with MfE Contract Management Accountability - Efficiency and effectiveness of levy and funds administration	Release in Part	9(2)(a)  9(2)(b)(ii)
28		Sapere - Consultancy Services Order (CSO) with MfE Contract Management Accountability Statemen	Release in Part	9(2)(b)(ii)
29		Sapere - Assessment of outcomes and recent performance of investment of the waste levy	Release in Part	9(2)(a)  9(2)(b)(ii)

#### Documents in scope of Part 4 of the request

No.	Date	Content	Decision	OIA Section/s applied (if withholding information)
30		KPMG - Efficiency and Effectiveness Review of Levy and Funds – Draft Report	Release in Part	9(2)(b)(ii)
31		KPMG - Efficiency and Effectiveness Review of Levy and Funds – Final	Release in Part	9(2)(b)(ii)
32	10/2024	Sapere – Waste levy review. An assessment of outcomes and recent performance of investment of the waste levy - Draft	Release in Part	9(2)(b)(ii)
33	10/2024	Sapere – Waste levy review. An assessment of outcomes and recent performance of investment of the waste levy - Final	Release in Part	9(2)(b)(ii)

#### Documents in scope of Part 5 of the request

No.	Date	Content	Decision	OIA Section/s applied (if withholding information)
34		Budget 2025 letter	Withheld in Full	9(2)(f)(iv)